

ation, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, February 2, 1917.
Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

H. J. R. No. 2, "House Joint Resolution to amend Section 10, Article 1, of the Constitution of the State of Texas, providing for certain rights of accused persons in criminal prosecutions and the manner in which the case may be prosecuted, and providing for the procuring of the testimony of the witnesses for both defense and prosecution,"

Have had same under consideration and beg leave to report same back to the Senate with the recommendation that it do pass.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, February 2, 1917.
Hon. W. P. Hobby, President of the Senate.

Sir: We your Committee on Constitutional Amendments, to whom was referred

H. J. R. No. 5, "A Joint Resolution of the Legislature of the State of Texas, proposing an amendment to the Constitution of the State by adding to Article 16 thereof a new section to be known as Section 59, providing for the compensation of public officials,"

Have had same under consideration and I am instructed to report same back to the Senate with the recommendation that it do pass.

WESTBROOK, Chairman.

TWENTY-FIRST DAY.

Senate Chamber,
Austin, Texas,
Monday, February 5, 1917.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. P. Hobby.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Hudspeth.
Bailey.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	King.
Caldwell.	McCollum.
Dayton.	McNealus.
Dean.	Page.
Decherd.	Parr.
Floyd.	Robbins.
Gibson.	Smith.
Hall.	Strickland.
Harley.	Westbrook.
Henderson.	Woodward.
Hopkins.	

Absent.

Clark.

Absent—Excused.

Bee.

Sulter.

Lattimore.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with, on motion of Senator Westbrook.

Excused.

Senator Lattimore was excused for today and this week, on account of important business, on motion of Senator Hudspeth.

Senator Harley, for last Saturday, on account of important business, on motion of Senator Bailey.

Senator Bee was excused indefinitely on account of important business, on motion of Senator McCollum.

House Bill No. 13 Rereferred.

(By unanimous consent.)

On motion of Senator Caldwell, Senate Bill No. 13 was withdrawn from the Committee on Public Buildings and Grounds and referred to the Committee on State Affairs.

Petitions and Memorials.

See Appendix for brief statement of petitions and memorials offered today.

Committee Reports.

No committee reports today.

Message from the House.

Hall of the House of Representatives,
Austin, Texas, February 5, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 9, Extending an invitation to surviving members of the Ninth Legislature.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

An Invitation.

The Chair laid before the Senate an invitation from the President of the State University inviting the membership of the Senate to take part in the exercises of laying the cornerstone of the Educational Building of the University on Thursday, February 15, at 3 o'clock, and inviting the members of the Senate to have luncheon at the Cafeteria at 1:30 on said date.

The invitation was accepted, on motion of Senator Johnson of Hall.

Bills and Resolutions.**Simple Resolution No. 60.**

Resolved, That the Senate sit with Senate Committee on Civil Jurisprudence in the Senate Chamber this afternoon at 2:30 p. m. for the purpose of hearing a discussion of Senate Bill No. 219, continuing such sessions from day to day until said bill is disposed of by said committee.

Bailey, Hall, Hopkins, Harley, Alderdice, Dean, Henderson, Gibson, Caldwell, Woodward, Parr, Smith, Strickland, Floyd.

The resolution was read and, pending discussion,

Senator Henderson offered the following amendment, which was read and adopted;

Amend the resolution by striking

out all in said resolution after the words "bill No. 219."

The resolution as amended was adopted.

Senate Concurrent Resolution No. 12.

Whereas, Recent events in our National history have reached a momentous and serious situation, and

Whereas, The burdens of responsibility are hourly increasing and are ever pressing more heavily upon the shoulders of the Chief Executive of our Nation, and

Whereas, In these trying times our National head should know whether or not his acts are approved by the sovereign States of our Nation:

Therefore, Be it resolved by the Senate of the State of Texas, the House of Representatives concurring, that the Legislature of the State of Texas, does here now express its utmost confidence in the high purpose, integrity and ability of His Excellency, the Honorable Woodrow Wilson, President of these United States, and does hereby endorse and approve the acts of the President in severing diplomatic relations with the Imperial German Government, and pledges to him the support of the State of Texas in all things the President may feel impelled to do in the pending crisis.

Be it further resolved, that a copy of this resolution attested by the proper officers of the Legislature be forwarded to the President.

Buchanan of Scurry, Alderdice, Bee, Bailey, Buchanan of Bell, Caldwell, Clark, Dayton, Dean, Decherd, Floyd, Gibson, Hall, Harley, Henderson, Hopkins, Hudspeth, Johnson of Hall, Johnston of Harris, King, McCollum, McNealus, Page, Parr, Robbins, Smith, Strickland, Westbrook, Woodward.

The resolution was read and adopted by a rising vote of the Senate.

House Concurrent Resolution No. 9.

The Chair laid before the Senate H. C. R. No. 9, Extending an invitation to surviving members of the Ninth Legislature to visit this Legislature on the 2nd of March.

The resolution was read and the same was concurred in on motion of Senator Dayton.

(President Pro Tem. Henderson in the chair.)

By Senator Gibson:

S. B. No. 295, A bill to be entitled "An Act to regulate contracts of sale for future delivery of cotton, grain, stocks or other commodities; to declare under what conditions such contracts shall be valid and enforceable; to define and prohibit bucket shops and dealings therein; prescribing penalties for the violations of this Act; and to repeal Articles 536 and 537 of Chapter 2, and Articles 538, 539, 540, 541, 542, 543, 544, 545, 546 and 547 of Chapter 3 of Title 11, entitled "Offenses against Public Policy and Economy" of the Penal Code of 1911, and all laws and parts of laws regulating or prohibiting dealings in future contracts or conflicting or inconsistent herewith."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Alderdice:

S. B. No. 296, A bill to be entitled "An Act to amend Sections 11, 19, 20, 21, 24, 28 and 45 of, and to add Sections 22a, 22b, 34a, 34b, 34c, 62a and 65a to Chapter 146, General Laws of the Thirty-fourth Legislature, Regular Session, 1915, entitled 'An Act to authorize the commissioners courts of the several counties of Texas to create and establish levee improvement districts with authority to construct and maintain levees and other improvements on rivers, creeks and streams, to prevent overflows, etc., etc., and declaring an emergency'; so as to provide a manner of posting election notices; for the appointment of district engineers, with instructions as to surveys, maps, plans and reports by district and other engineers; for approval or disapproval of such plans and reports by the State Reclamation Engineer, whether such improvements are to be constructed by districts or otherwise; providing penalties for constructing and maintaining levee improvements contemplated under said Act when plans approved by the State Reclamation Engineer are subsequently found to contain errors or misrepresentations, and for altering or failing faithfully to execute plans so approved; providing for form and terms of bonds of such districts, their sale, and disposition of the proceeds; providing a separate

tax assessor and collector and board of equalization for such districts; for letting contracts for construction work without advertisement under certain conditions; providing a method of abolishing such districts when necessary; declaring that nothing in said Act nor herein shall be construed to invalidate or affect the legality of proceedings lawfully had under Chapter 85, General Laws of the Thirty-first Legislature, Regular Session, 1909, providing for the establishment of improvement districts; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on Mining, Irrigation and Drainage.

By Senator McCollum:

S. B. No. 297, A bill to be entitled "An Act to construct and extend the State railroad which now extends from Rusk in Cherokee County to Palestine in Anderson County, and to extend same to the city of Waco in McLennan County, Texas, and to purchase necessary equipment for same, and to build and maintain in connection therewith telegraph and telephone lines; and to enter upon, take and occupy land thereby, after paying for same, and for condemnation proceedings, and providing for the issuance of bonds and for their approval by the Attorney General, and providing for their sale, and for setting aside an amount of money to pay same and the interest on same, and for accepting gifts and donations for said railroad extension, and for the employment of State convicts in the construction of said railroad, and for placing same under the Railroad Commission of Texas, and that the State Board of Education may have an option on the bonds of said railroad when issued."

Read first time and referred to Committee on Finance.

By Senators Woodward, Henderson, Harley, Westbrook, Page, Caldwell, Floyd, King, Decherd, McNeal, McCollum, Strickland, Buchanan of Bell, Hall, Smith, Robbins, Gibson and Parr:

S. B. No. 298, A bill to be entitled "An Act to establish a branch of the Agricultural and Mechanical College of Texas at Stephenville, in Erath county, Texas, and to be known as John Tarlton Agricultural College;

providing for the government and control of said institution; providing for the acceptance of donations of lands, buildings and money offered by the citizens of Stephenville and Erath county; providing for a students' loan fund, and defining the leading objects and prescribing generally the nature and scope of instruction to be given in said college, and conferring upon the board of directors of said college the right of eminent domain, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Hudspeth:

S. B. No. 299, A bill to be entitled "An Act to create and establish the county of Darlington out of part of El Paso county; prescribing its area and boundaries; appointing commissioners to organize said county, and prescribing their duties; providing for a division of said county into commissioners' and justices' precincts; providing for holding county and precinct elections, for the election of county and precinct officers, and for holding an election for the purpose of locating the county seat of said county; providing for the attachment of said county to judicial, representative, senatorial, congressional and supreme judicial districts; and fixing the terms for holding district court in said county; providing for the assessment and collection of taxes, and for defraying the expenses of organizing said county and surveying and fixing the boundaries, and providing for the payment of the pro rata share of the debt of El Paso county, from which said county is taken; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on Counties and County Boundaries.

Simple Resolution No. 61.

Whereas, There is a vacancy in the enrolling department for the enrollment of bills of the Senate; and,

Whereas, Miss Lovidy Adams brings to this Senate splendid recommendations showing her to be eminently fitted for this position; therefore be it

Resolved, That she be elected to this position.

Smith, Caldwell, Parr, Strickland, Page, Woodward, McCollum, Hudspeth, Hall, McNealus, Johnston of Harris, Dayton, Alderdice.

The resolution was read and adopted.

Morning call concluded.

Senate Bill No. 185.

(Special order.)

The Chair laid before the Senate, as special order, on its second reading,

S. B. No. 185, A bill to be entitled "An Act to amend Section 2, Chapter 42, of the General Laws of the Thirtieth Legislature as amended by Chapter 83 of the General Laws of the Thirty-second Legislature, relating to exemptions as affecting the granting of free transportation over any steam railway, electric inter-urban railway or chartered transportation company, or sleeping car company, or the receivers or lessees thereof, or persons operating same, or their officers, agents or employes, from granting free transportation over such carriers, and fixing and defining who may receive such free transportation; repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

The bill was read second time and Senator Gibson moved to lay the bill on the table subject to call.

The motion prevailed.

Senate Bill No. 63.

(Special order.)

The Chair laid before the Senate as special order on its second reading:

S. B. No. 63, A bill to be entitled "An Act prohibiting the employment of children under fifteen years of age to labor in certain occupations, prohibiting the employment of children under seventeen years of age to labor in certain occupations, prohibiting the sending of children under seventeen years of age to certain places, limiting the hours of labor for children under seventeen years of age, providing for permits to be issued by

the county judge for children between the ages of twelve and fifteen years to labor in certain occupations and under certain conditions, requiring employers employing children between the ages of twelve and fifteen years to secure and post permits where child is employed, providing how such permits may be secured, giving the Commissioner of Labor Statistics or his deputies or inspectors free access to all places where children or minors are employed, providing penalties for violations of the act and repealing all laws and parts of laws in conflict with the Act."

The bill was read, and

Senator Westbrook offered the following amendments, which were read and adopted, being voted on separately:

(1) Amend the bill on page 1, by striking out the period after the word "Act" in line 20, and adding the following: "And declaring an emergency."

(2) Amend Senate Bill No. 63, on page 4, by adding a new section after Section 7, to be known as Section 8, as follows:

"Section 8. The fact that the present law governing the employment of children is inadequate in this State, prescribing the occupations that children under certain ages may follow, defining the ages under which said children shall not be employed in certain occupations, and limiting the hours of service of said children, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and it is so enacted."

(3) Amend the bill by striking out the period after the word "imprisonment," on page 2, line 1, and inserting in lieu thereof a colon, and adding the following: "Provided that nothing in this Act shall be construed as affecting the employment of children on farms."

(4) Amend the bill on page 2, line 31, by striking out the words and figures "seventeen" (17) and adding in lieu thereof the words and figures "fifteen" (15); and by striking out the words and figures "eight" (8) in line 32, and inserting in lieu thereof the words and figures "ten" (10).

Senator Dayton offered the following amendment, which was read and adopted:

(5) Amend by adding after the word "dollars" in line 17, page 4,

printed bill, the following words: "Provided that nothing herein shall apply to those engaged in stock raising pursuits."

Senator McNealus offered the following amendment, which was read and adopted:

(6) Amend the printed bill (S. B. No. 63) by adding a new section after Section 7, to be known as Section 7a, and to read as follows: "If any of the provisions of this Act are declared by proper judicial action to be unconstitutional, that fact shall not operate to invalidate other provisions of the bill."

Senator Bailey offered the following amendment, which was read and adopted:

(7) Amend the bill by inserting as Section 6a in the bill the following: "Provided that nothing in this Act shall be construed as prohibiting the employment by any person of nurses, maids, yard servants or others for private homes and families, regardless of their ages."

Senator Dean offered the following:

(8) Amend the printed bill by adding after the period, line 5, page 3, the following: "Provided that nothing herein or in any other section of this Act shall apply to employment of children for farm labor or to hours which children may work on farms."

The amendment was read and adopted.

Pending special order.

Adjournment.

At 12:15 o'clock p. m. Senator Johnston of Harris moved that the Senate recess until 2:30 o'clock p. m. today.

As a substitute, Senator Page moved that the Senate adjourn until 10 o'clock tomorrow morning.

The motion to adjourn prevailed.

APPENDIX.

Petitions and Memorials.

Strong protest is being offered to the Nichols Bill authorizing cities and towns of over 5000 inhabitants to govern their own amusements. Petitions opposing said bill were offered by Senators Buchanan of

Scurry, Woodward, McNealus, Gibson and Smith.

A numerously signed petition to Senator Gibson was offered, asking him to vote against Senate Bill No. 80, by Senator Johnson of Hall, believing that the bill would deprive the working class of their only day of recreation and pleasure.

Senator Henderson sent up a petition from Texarkana asking him to vote against House Bill No. 24, prohibiting the use of automatic and repeating guns.

Numerously signed petitions to Senators Page, Woodward and Johnson were sent up, relating to the Pharmacy Bill.

Petitions to Senator Johnston of Harris relative to the tenant farmer were offered.

A resolution as adopted by the Telephone Association of the First Congressional District of Texas was offered by Senator Henderson.

Senator Gibson offered a petition from the Medical Society of Fannin county opposing the Optometry Bill.

A petition from Lubbock to Lieutenant Governor Hobby was read, asking that as large appropriation as possible be given the experimental station located at Lubbock.

A resolution from the Farmers' Educational and Co-operative Union of Texas was offered by the Chair, relating to the Marketing and Warehouse Law.

Senator Caldwell offered a letter from Ed W. Numbers urging support of a proposed amendment to the compensation laws of Texas.

TWENTY-SECOND DAY.

Senate Chamber,
Austin, Texas,
Tuesday, February 6, 1917.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor W. P. Hobby.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Caldwell.
Bailey.	Dayton.
Bee.	Dean.
Buchanan of Bell.	Decherd.
Buchanan of Scurry.	Floyd.

Gibson.	McCollum.
Hall.	McNealus.
Harley.	Page.
Henderson.	Parr.
Hopkins.	Smith.
Hudspeth.	Strickland.
Johnson. of Hall.	Westbrook.
Johnston of Harris.	Woodward.
King.	

Absent.

Robbins.

Absent—Excused.

Clark.
Lattimore.

Suiter.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Westbrook.

Excused.

Senator Clark was excused for yesterday and today on account of sickness, on motion of Senator Johnson of Hall.

Petitions and Memorials.

See Appendix for brief statement of petitions and memorials offered today.

Committee Reports.

See Appendix.

Stenographer Appointed.

The Chair announced the appointment of Miss Frankie Wren as stenographer for Senator Alderdice, to succeed Miss Brin, resigned, the appointment to become effective next Saturday.

Bills and Resolutions.

By Senator Buchanan of Scurry:

S. B. No. 300, A bill to be entitled "An Act to regulate the operation of motion picture shows, theatres and places of amusement where motion picture exhibits are given; providing rules and specifications for the construction of booths and the installation of motion picture machines and